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Nepal: Information on the various identity documents in Nepal and the names of the agencies that issue them

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The First Secretary at the Embassy of Nepal in Washington DC stated, in correspondence with the Research Directorate, that the primary documents used for identification in Nepal - and the institutions which issue them - are as follows (17 Nov. 2006):

- Citizenship certificates [which] are issued by 75 district administration offices under the Home Ministry;
- Passports [which are] issued by the Ministry of Foreign Affairs, diplomatic missions abroad, and the 75 district administration offices; and
- Drivers licences, [which are] issued by various zonal transportation management offices under the Ministry of Labour and Transportation, previously issued by the traffic police office (ibid.).

The First Secretary also stated that other identification is issued by "various organizations and educational institutions," without providing further clarifying information (Nepal 17 Nov. 2006). The First Secretary further said that while citizenship certificates are required to obtain passports, citizens under 16 years of age must have "minor identity cards" instead (ibid.).

The citizenship certificate establishes official identity, according to Child Welfare Scheme Nepal (CWS/N), a non-governmental organization (NGO) that has been operating in Nepal since 2000. Yet "an identity is very difficult to come by in Nepal," according to the same source (CWS/N n.d.a). Some Nepalese media report consensus among all political parties that there are "several thousands of Nepalis who have been deprived of the citizenship certificates" (*Ekantipur* 24 Nov. 2006; *Nepalnews* 26 Nov. 2006); the Nepal Sadbhawana Party put the figure at four million (*People Daily's Online* 27 Nov. 2006). The government reportedly does not have "any authentic figure" as to how many people in the country lack citizenship certificates (*Ekantipur* 24 Nov. 2006). *Nepalnews* reports "lawmakers" from the Terai region as blaming the citizenship problem on the previous Citizenship Act (26 Nov. 2006).

In November 2005, the government of Nepal and the country's Maoist

rebels signed a peace agreement to end a conflict that had been ongoing for more than ten years (IHT 21 Nov. 2006; BBC 21 Nov. 2006). The CWS/N states that before the conflict almost every rural area had a local government office where births could be registered and where citizenship cards could also be obtained (CWS/N n.d.a). However, there are few remaining local government offices because "these were the first targets in the conflict" (CWS/N n.d.a). Among the sources consulted by the Research Directorate limited information could be found to corroborate this statement. However, the South Asia Terrorism Portal (SATP) reports that in February 2006, Maoists targeted a district administration office, a regional administration office, and all the security agencies in Dhankuta district in a "massive attack" (2006).

Moreover, *The Rising Nepal* reports that, subsequent to the signing of peace agreement between the government and Maoist forces, "a large number of youths" from the Doti district went to their district administration office to obtain citizenship certificates (29 Nov. 2006). The article states that it has been difficult for people to apply for citizenship certificates because of "the all-pervasive armed conflict in the district" (*The Rising Nepal* 29 Nov. 2006). Maoist youth are also reportedly "eager" to obtain citizenship certificates (ibid.).

To make it easier to obtain citizenship, the government of Nepal has approved a bill to amend Nepal's Citizenship Act (Law Library of Congress 2006). This bill was reportedly passed in November 2006 and came into immediate effect (*Rising Nepal* 27 Nov. 2006; *People's Daily Online* 27 Nov. 2006). The new law means that, for the first time, maternal descent can be used to determine a child's citizenship (*Rising Nepal* 27 Nov. 2006; *Nepalnews* 26 Nov. 2006). Previously, a child's citizenship had to be determined through his or her father, which created difficulties for female-headed households, according to Amnesty International (AI 26 July 2005). A representative of the Feminist Dalit Organization (FEDO) says, for example, that the children of prostitutes could not obtain citizenship certificates as they were unable to provide the name of their father on the citizenship application (Tamrakar 9-12 Aug. 2006).

With respect to birth certificates, between 5 and 10 percent of the population in Nepal registers the birth of their children, according to an Asian Development Bank (ADB) Senior Counsel who led a study on legal identity in Nepal, Cambodia, and Bangladesh (ADB 1 Oct. 2006). In an article published on the ADB Web site, the Senior Counsel also said that girls, Dalit children, and children born in rural areas are even less likely to have their births registered (ibid.). CWS/N comments that "it is very rare" for parents to register their babies, adding that illiteracy rates are high and many "have not been educated" about why birth registration is important (n.d.a). For example, birth records are required for students to be eligible to obtain books, receive scholarships or take national school leaving exams (ADB Oct. 2006; CWS/N n.d.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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